



DOCKET ITEM: A-3	BOARD MEETING: December 10, 2012	PROJECT NUMBER: 09-077
PERMIT HOLDERS(S): Asbury Pavilion Nursing and Rehabilitation Center, LLC., EJR Enterprises		
FACILITY NAME and LOCATION: Asbury Pavilion Nursing and Rehabilitation Center, North Aurora, Illinois		

STATE AGENCY REPORT
PERMIT RENEWAL REQUEST

I. Background

On June 8, 2010, the State Board approved Project #09-077. The permit authorized the establishment of a 75-bed long term care facility located at 210 Airport Road, North Aurora, Illinois. The State Agency notes the project is obligated, and the current project completion date is December 31, 2012. The cost of the project cost is \$5,365,000.

This submittal was in accordance with 77 IAC 1130.740(d), which states that renewal requests must be received by the State Agency at least 45 days prior to the permit expiration date. A \$500.00 permit renewal fee accompanied the renewal request.

II. Findings

The State Agency notes this is the **second** renewal request for this project and it appears the permit holders have submitted all of the information required in Section 1130.740 for a permit renewal.

III. The Permit Renewal Request

- A. Requested Completion Date: The permit holders request a project completion date of June 30, 2013. This would extend the project's completion date by 6 months, from December 31, 2012 to June 30, 2013.
- B. Status of the Project and Components Yet to be Finished: The project is approximately 94% complete. The permit holders state the contractors are currently going through their "punch list" finish construction items, and State Surveys and Licensure inspections remain.

- C. Evidence of Financial Commitment to Fund the Project: The permit holders state \$3,841,877 (approximately 71.6% of the total approved project cost), has been expended to date and that sufficient financial resources are available to complete the project.
- D. Anticipated Final Cost of the Project: The permit holders estimate the project will not deviate from the originally approved permit amount of \$5,365,000.

IV. Project Description

Permit Issuance Date: June 8, 2010

Original Project Completion Date: July 31, 2012

Extended Project Completion Date: December 31, 2012
(5-month renewal)

Project Obligation Date: December 8, 2011

Proposed Project Completion Date: June 30, 2013
(6 month renewal)

V. Applicable Rules for Permit Renewal Requests

77 IAC 1130.740 specifies that a permit holder may request a change in the approved project completion date by applying for a permit renewal.

77 IAC 1130.740(b) states that failure to complete a project or to renew a permit within the prescribed timeframes will subject the permit holders to the sanctions and penalties provided in the Act and this Subpart.

77 IAC 1130.740(c) states that a permit renewal will commence on the expiration date of the original or renewed completion period.

77 IAC 1130.740(d) states that the State Board must be in receipt of a permit renewal request at least 45 days prior to the expiration date of the completion period, and include the following: 1) the requested completion date; 2) a status report on the project detailing what percent has been completed and a summary of project components yet to be finished and the amount of funds expended on the project to date; 3) a statement as to the reasons why the project has not been completed; and 4)

confirmatory evidence by the permit holders' authorized representative that the project's costs and scope are in compliance with what the State Board approved and that sufficient financial resources are available to complete the project.

77 IAC 1130.740(e) states IDPH will review the request and prepare a report of its findings. If the findings are that the request is in conformance with all HFPB criteria, and if this is the first request for this project, then the request, IDPH's findings, and all related documentation shall be sent to the Chairman. The Chairman, acting on behalf of HFPB, will approve, deny or refer the request to the HFPB for action. If IDPH finds that all criteria are not positive or, if this is not the first request for this project, or if the Chairman refers this to HFPB for action, then HFPB will evaluate the information submitted to determine if the project has proceeded with due diligence (as defined in 77 IAC 1130.140). Denial of a permit renewal request constitutes HFPB's Notice of Intent to revoke a permit and the permit holders will be afforded an opportunity for an administrative hearing.

VI. Other Information

Appended to this report are the following: the permit holders' documents for a permit renewal.

CHARLES H. FOLEY & ASSOCIATES INC.

1638 South MacArthur Boulevard • Springfield, Illinois 62704
217/544-1551 • Fax: 217/544-3615 • E-mail: foley.associates@sbcglobal.net

HAND DELIVERED

RECEIVED

NOV 15 2012

November 15, 2012

**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

Courtney Avery, Administrator
Illinois Health and Services Review Board
Illinois Department of Public Health
525 West Jefferson Avenue, 2nd Floor
Springfield, Illinois 62761

Re: Permit: 09-077 – Asbury Pavilion and
Rehabilitation Center

Dear Ms. Avery,

I am writing to request for a second permit renewal. The permit expires December 31, 2012. While construction is complete we will need additional time to receive licensing and time to collect all costs to report back to the Board. We feel that a 6 month renewal to June 30, 2013 would be adequate. Please note that in total the project has only been extended for 11 months should this permit renewal be granted.

I have attached the latest AIA G702-703 showing the project about 94% complete. The project construction is substantially complete now and the contractors are finishing going through their respective "punch" lists for completion. The facility has received its certificate of occupancy (see enclosed) and waiting to complete the miscellaneous contractual items and then State surveys and Licensure need to commence. Finally, should there be any areas of non-compliance; those issues would have to be remedied. It is estimated that this process could take 3-4 months to complete. Also attached is the current cost and sources of funds chart providing the total dollars spent to date as a percentage of the project.

The main reason for this request for additional completion time is due to permit issues with the Village of North Aurora. The Applicant was not able to start construction until March 2011 whereas they had planned to start in the fall of 2010 as the project was only approved in June of that year. Additionally, the Village required that the Applicant to install sidewalks on the perimeter of the property. This is now complete.



Health Care Consulting

Courtney Avery, Administrator
November 15, 2012
Page Two

Please note that financing for the construction is still in place and remains as stated in the application. Additionally, enclosed herein is a check made payable to the Illinois Department of Public Health for the processing of this request.

Sincerely,



John P. Kmfery
Health Care Consultant

C: Tom McNulty



210 Airport Road, North Aurora, IL 60542
T 630-896-7778 F 630-896-6759
www.asburyretirement.com

October 29, 2012

Courtney Avery
Administrator
Illinois Department of Public Health
525 West Jefferson Avenue
2nd Floor
Springfield, Illinois 62761

Re: Permit: 09-077 – Asbury Pavilion and Rehabilitation Center

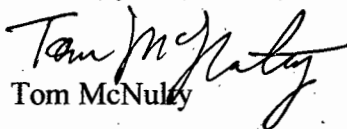
Dear Ms. Avery,

I am writing to request for permit renewal. The permit expires December 31, 2012. Construction is complete and we have the certificate of occupancy from the village but we will need additional time to receive licensing and time to collect all costs to report back to the Board. We feel that a 6 month renewal to June 30, 2013 would be adequate. I have attached the latest AIA G702-703 showing the project is 99% complete.

Due to permit issues with the Village of North Aurora we were not able to start construction until March 2011 which was later than planned and put us behind. They had also recently required that we install a sidewalk on the perimeter of the property.

Financing for the construction is still in place and remains as stated in the application.

Sincerely,


Tom McNulty

APPLICATION AND CERTIFICATION FOR PAYMENT

PAGE 1 OF 2 PAGES

TO OWNER: EJR Enterprises Inc.
210 Airport Road
North Aurora, IL 60542

APPLICATION NO: 20

PROJECT: SKILLED NURSING WING
210 Airport Road
North Aurora, IL 60542

PERIOD TO: October 3, 2012

FROM CONTRACTOR:

EJR Enterprises Inc.
210 Airport Road
North Aurora, IL 60542

CONTRACT FOR: GENERAL CONTRACTING

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract
Continuation Sheet is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge,
information and belief the Work covered by this Application for Payment has been
completed in accordance with the Contract Documents, that all amounts have been paid by
the Contractor for Work for which previous Certificates for Payments were issued and
payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$ 3,405,952.09
2. Net change by change orders	\$ 474,070.28
3. CONTRACT SUM TO DATE (Line 1+2)	\$ 3,880,022.37
4. TOTAL COMPLETED & STORED TO DATE	\$ 3,841,877.49
5. RETAINAGE	\$ 145,220.94
6. TOTAL EARNED LESS RETAINAGE	\$ 3,696,656.55
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 3,357,319.76
8. CURRENT BALANCE DUE	\$ 339,336.79
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$ 183,365.82

CONTRACTOR: EJR ENTERPRISES, INC.

By: Ten M. G. Gately Date: 10/5/12

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data
comprising the application, the Architect certifies to the Owner that to the best of the
Architect's knowledge, information and belief the Work has progressed as indicated, the
quality of the Work is in accordance with the Contract Documents, and the Contractor is
entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: 339,336.79

ARCHITECT: HANNAH ALONZES DDC

By: R. J. R. Date: 10/4/12

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the
Contractor named herein. Issuance, payment and acceptance of payment are without
prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$561,177.79	\$212,186.31
Total approved this month	\$125,078.80	\$0.00
TOTALS	\$686,256.59	\$212,186.31
NET CHANGES by Change Order	\$474,070.28	

CONTINUATION SHEET

PAGE 2 OF 2 PAGES

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION						
1	Excavation - Aurora Underground	\$118,936.10	\$118,936.10		\$0.00		\$118,936.10	\$0.00	\$0.00
2	Concrete - T. Granrath's Custom Concrete	\$160,012.00	\$160,012.00		\$0.00		\$160,012.00	\$0.00	\$0.00
3	Testing - ECS Midwest, LLC	\$10,384.00	\$10,384.00		\$0.00		\$10,384.00	\$0.00	\$0.00
4	Electric Supply - Villa Park Electrical Supply Co.	\$71,629.34	\$71,629.34		\$0.00		\$71,629.34	\$0.00	\$0.00
5	Electric - Tough Electric	\$357,970.57	\$355,169.72		\$293.77		\$355,463.49	\$2,507.08	\$17,773.17
6	Site Utility - Mike Neri Sewer & Water	\$127,225.00	\$127,225.00		\$0.00		\$127,225.00	\$0.00	\$0.00
7	Steel - Garbe Iron Works, Inc	\$213,153.00	\$213,153.00		\$0.00		\$213,153.00	\$0.00	\$0.00
8	Plumbing - Prairie Plumbing	\$258,048.92	\$254,586.92		\$0.00		\$254,586.92	\$3,462.00	\$12,729.35
9	Mechanical - Classic Air, Inc.	\$295,430.00	\$283,780.01		\$0.00		\$283,780.01	\$11,649.99	\$14,189.00
10	Windows - Crystal Windows	\$41,737.00	\$41,737.00		\$0.00		\$41,737.00	\$0.00	\$0.00
11	Carpentry/Drwl/Drs/Hdwe - Tusceany Constr.	\$497,015.65	\$467,570.78		\$29,444.87		\$497,015.65	\$0.00	\$24,850.78
12	Fire Protection - dND Fire Protection	\$47,414.54	\$43,791.54		\$3,623.00		\$47,414.54	\$0.00	\$4,741.45
13	Roofing - Champion Roofing	\$134,950.00	\$134,950.00		\$0.00		\$134,950.00	\$0.00	\$0.00
14	Masonry - Chicago Masonry	\$110,760.00	\$110,760.00		\$0.00		\$110,760.00	\$0.00	\$11,076.00
15	Steel - Atlas Crane	\$450.00	\$450.00		\$0.00		\$450.00	\$0.00	\$0.00
16	Mechanical - Premier Mechanical	\$6,329.00	\$6,329.00		\$0.00		\$6,329.00	\$0.00	\$0.00
17	Flatwork & Paving - Aurora Underground	\$151,266.33	\$149,766.33		\$0.00		\$149,766.33	\$1,500.00	\$7,488.32
18	Metropolitan Steel - Relocate skylight frames	\$2,635.60	\$2,635.60		\$0.00		\$2,635.60	\$0.00	\$0.00
19	Amperage Electric - Switch Gear, cable	\$73,826.19	\$73,826.19		\$0.00		\$73,826.19	\$0.00	\$0.00
20	Fire Extinguishers - Fox Valley Fire & Safety	\$1,548.97	\$1,548.97		\$0.00		\$1,548.97	\$0.00	\$0.00
21	Glasshopper Schor Glass - Glazing	\$6,912.37	\$6,912.37		\$0.00		\$6,912.37	\$0.00	\$0.00
22	Econocare, Inc. - Finishes & FFE	\$882,873.21	\$680,164.00		\$202,709.21		\$882,873.21	\$0.00	\$0.00
23	Gordon Bros - Iron Fence Supply	\$4,566.18	\$4,566.18		\$0.00		\$4,566.18	\$0.00	\$44,143.66
24	Hector's Welding - Iron Fence Installation	\$7,433.82	\$7,433.82		\$0.00		\$7,433.82	\$0.00	\$0.00
25	Cabinet Design & Sales - Cabinetry	\$6,971.73	\$6,971.73		\$0.00		\$6,971.73	\$0.00	\$0.00
26	Inland Power Group - Generator	\$167,400.00	\$133,920.00		\$33,480.00		\$167,400.00	\$0.00	\$0.00
27	Stanley Access Technologies - Entrance Doors	\$11,370.00	\$9,607.50		\$1,762.50		\$11,370.00	\$0.00	\$0.00
28	Shapes Supply - Countertops & Bath Access.	\$28,329.00	\$24,792.00		\$3,537.00		\$28,329.00	\$0.00	\$2,832.90
29	Corona - Landscaping	\$20,910.00	\$10,199.00		\$10,711.00		\$20,910.00	\$0.00	\$1,045.50
30	Eagle Security - Nurse Call System	\$51,992.00	\$43,508.04		\$0.00		\$43,508.04	\$8,483.96	\$4,350.80
31	Geneva Construction - Asphalt	\$10,541.85	\$0.00		\$0.00		\$0.00	\$10,541.85	\$0.00
	GRAND TOTALS	\$3,880,022.37	\$3,556,316.14		\$285,561.35	\$0.00	\$3,841,877.49	\$38,144.88	\$145,220.94

Certificate of Occupancy

Village of North Aurora



Owner:

Subdivision: RETIREMENT COMMUNITY

Property Address: 210 AIRPORT ROAD

Permit # : 201101002

Lot # :

The work authorized by the permit listed herein has been completed and approved by the Village of North Aurora, Building Department.

This certifies that the NEW COMMERCIAL authorized by the permit listed above meets the minimum Building Code Requirements on the date this certificate was issued.

Date: 11/02/2012

No change shall be made in the use of this building without prior notice and certificate from the Building Official.

A handwritten signature in black ink, likely of the Building Official, is positioned above the printed name.

Building Official
Village of North Aurora

Project Costs and Sources of Funds**REVISED NOVEMBER 14, 2012**

Complete the following table listing all costs (refer to Part 1120.110) associated with the project. When a project or any component of a project is to be accomplished by lease, donation, gift, or other means, the fair market or dollar value (refer to Part 1130.140) of the component must be included in the estimated project cost. If the project contains non-clinical components that are not related to the provision of health care, complete the second column of the table below. See 20 ILCS 3960 for definition of non-clinical. Note, the use and sources of funds must equal.

Project Costs and Sources of Funds				Expend	% of
USE OF FUNDS	CLINICAL	NON-CLINICAL	TOTAL	To Date	Total
Preplanning Costs	\$25,200	\$10,800	\$36,000	\$36,000	100%
Site Survey and Soil Investigation	\$5,600	\$2,400	\$8,000	\$8,000	100%
Site Preparation	\$21,000	\$9,000	\$30,000	\$30,000	100%
Off Site Work	\$7,000	\$3,000	\$10,000	\$10,000	100%
New Construction Contracts	\$2,394,000	\$1,344,000	\$3,738,000	\$3,485,389	93%
Modernization Contracts	\$0	\$22,000	\$22,000	\$22,000	100%
Contingencies	\$239,400	\$136,600	\$376,000	\$0	0%
Architectural/Engineering Fees	\$71,311	\$40,689	\$112,000	\$181,948	162%
Consulting and Other Fees	\$45,500	\$19,500	\$65,000	\$55,000	83%
Movable or Other Equipment (not in construction contracts)	\$367,500	\$157,500	\$525,000	\$525,000	100%
Bond Issuance Expense (project related)					
Net Interest Expense During Construction (project related)	\$125,300	\$53,700	\$179,000	\$52,000	29%
Fair Market Value of Leased Space or Equipment					
Other Costs To Be Capitalized	\$184,800	\$79,200	\$264,000	\$0	0%
Acquisition of Building or Other Property (excluding land)					
TOTAL USES OF FUNDS	\$3,486,611	\$1,878,389	\$5,365,000	\$4,406,337	82%
SOURCE OF FUNDS	CLINICAL	NON-CLINICAL	TOTAL		
Cash and Securities	\$665,260	\$407,740	\$1,073,000	\$704,000	66%
Pledges	\$0	\$0	\$0		
Gifts and Bequests	\$0	\$0	\$0		
Bond Issues (project related)	\$0	\$0	\$0		
Mortgages	\$2,661,040	\$1,630,960	\$4,292,000	\$3,702,337	86%
Leases (fair market value)	\$0	\$0	\$0		
Governmental Appropriations	\$0	\$0	\$0		
Grants	\$0	\$0	\$0		
Other Funds and Sources	\$0	\$0	\$0		
TOTAL SOURCES OF FUNDS	\$3,326,300	\$2,038,700	\$5,365,000	\$4,406,337	82%
NOTE: ITEMIZATION OF EACH LINE ITEM MUST BE PROVIDED AT ATTACHMENT-7, IN NUMERIC SEQUENTIAL ORDER AFTER THE LAST PAGE OF THE APPLICATION FORM.					

***Please note that the difference between the funds "expended" and the source of funds total is \$337,318 of cost that have been incurred but not let paid. Some of those cost, i.e., net interest expense, will not be realized until permanent construction loan is in place.**

5798

CHARLES H. FOLEY & ASSOCIATES, INC.

1638 SOUTH MACARTHUR BOULEVARD
SPRINGFIELD, IL 62704
217-544-1551 Check Fraud
Protection for Business

70-7345-2711

DATE 11/15/12

PAY
TO THE
ORDER OF

Illinois Department of Public Health

\$ 500.00

Five hundred and 00/100

DOLLARS

Security Features
Include:
Details on Back

SECURITY BANK

510 E. Monroe
Springfield, IL 62701FOR 09-077 Asbury Pavilion & Rehabilitation Ctr. - Hiram M. Gniery
Permit Renewal Request

⑈005748⑈ ⑆271173452⑆ 0300001070⑈